

# PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

**This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.**

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or send this form to reach us by 31 July 2020\*.

We recommend that you keep a copy of your representation for your own records.

*\*UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



## ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

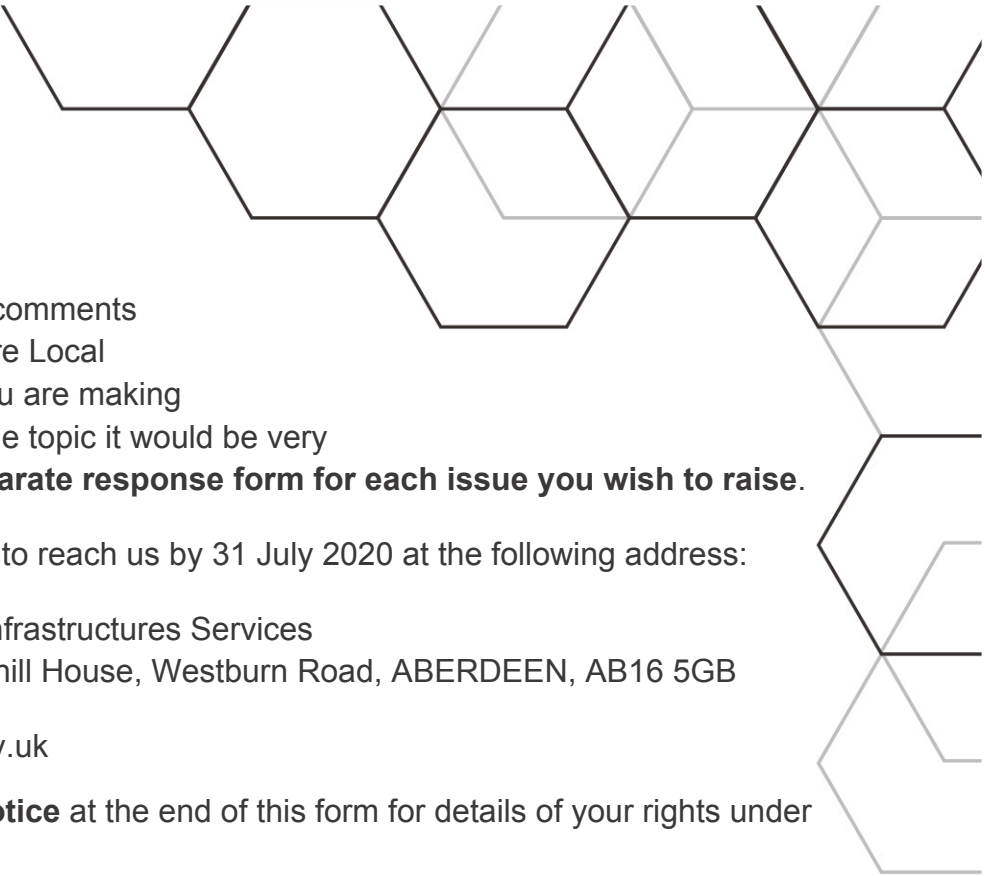
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

Aberdeenshire Local Development Plan  
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

Tel: 01467 536230  
Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)  
Web: [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp)  
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If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk).



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in **a separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services  
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

## YOUR DETAILS

Title:	Mr
First Name:	Ewan
Surname:	Maclean (Emac Planning)
Date:	29.07.20
Postal Address:	
Postcode:	
Telephone Number:	
Email:	

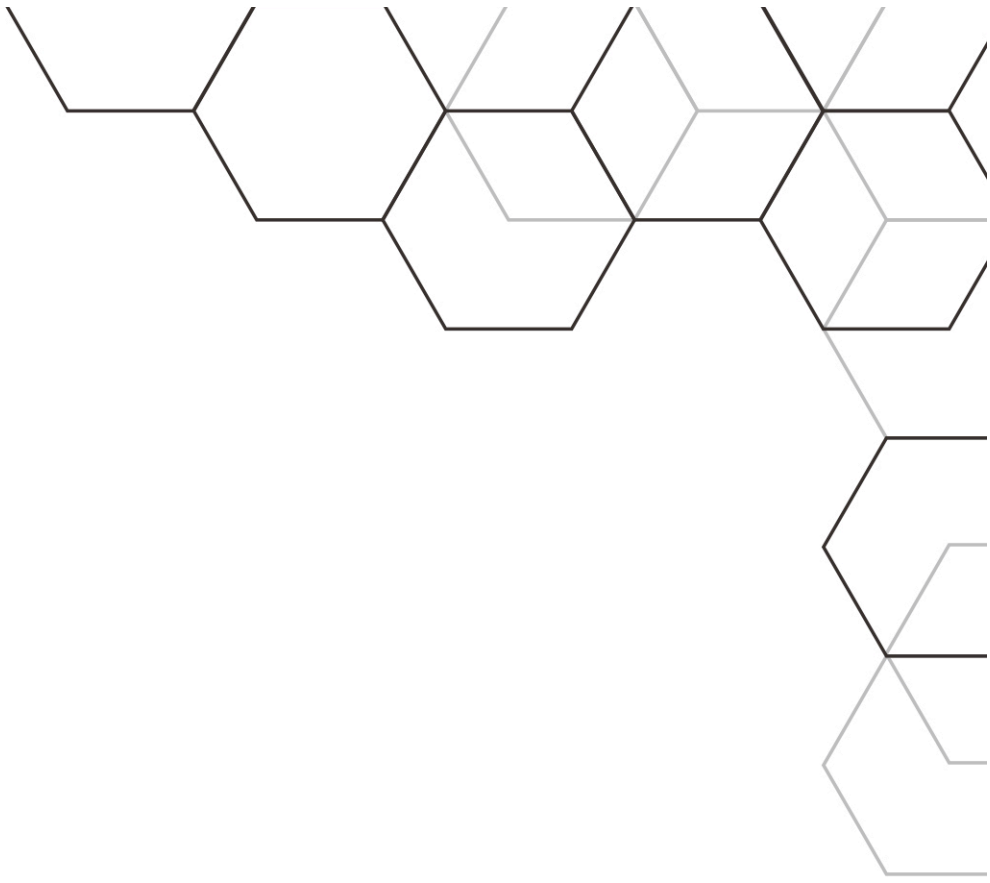
Are you happy to receive future correspondence only by email? ☒ Yes ☐ No

Are you responding on behalf of another person? ☒ Yes ☐ No

If yes who are you representing?

☐ Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

*An acknowledgement will be sent to this address soon after the close of consultation.*



# YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

**Modification that you wish to see** (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

OP2: Ury House, East Lodge; and OP5: Land at East Lodge, Stonehaven

**Reason for change:**

Please see attached statement.

# PRIVACY NOTICE



## LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is  
Aberdeenshire Council.

The Data Protection Officer can be contacted at Town  
House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following  
purposes:

- To provide public comment on the Aberdeenshire Local  
Development Plan. The data on the form will be used to  
inform Scottish Ministers and individual(s) appointed to  
examine the Proposed Local Development Plan 2020. It  
will inform the content of the Aberdeenshire Local  
Development Plan 2021.

### Your information is:

Being collected by Aberdeenshire Council	X
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### The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either  
Performance of a Contract or Legal Obligation, please note  
the following consequences of failure to provide the  
information:

It is a Statutory Obligation under Section 18 of the Town  
and Country (Scotland) Act 1997, as amended, for  
Aberdeenshire Council to prepare and publish a Proposed  
Local Development plan on which representations must be  
made to the planning authority within a prescribed period  
of time. Failure to provide details requested in the 'Your  
Details' section of this form will result in Aberdeenshire  
Council being unable to accept your representation.

Your information will be shared with the following recipients  
or categories of recipient:

Members of the public are being given this final  
opportunity to comment on the Proposed Aberdeenshire  
Local Development Plan. The reasons for any changes  
that the Council receives will be analysed and reported to  
Scottish Ministers. They will then appoint a person to  
conduct a public examination of the Proposed Plan,  
focusing particularly on the unresolved issues raised and  
the changes sought.

Your name and respondent identification number (provided  
to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your  
completed response on the Proposed Local Development  
Plan website (contact details and information that is  
deemed commercially sensitive will not be made available  
to the public).

In accordance with Regulation 22 of the Town and Country  
(Development Planning) (Scotland) Regulations 2008  
where the appointed person determines that further  
representations should be made or further information  
should be provided by any person in connection with the  
examination of the Proposed Plan the appointed person  
may by notice request that person to make such further  
representations or to provide such further information.

Your information will be transferred to or stored in the  
following countries and the following safeguards are in  
place:

Not applicable.

The retention period for the data is:

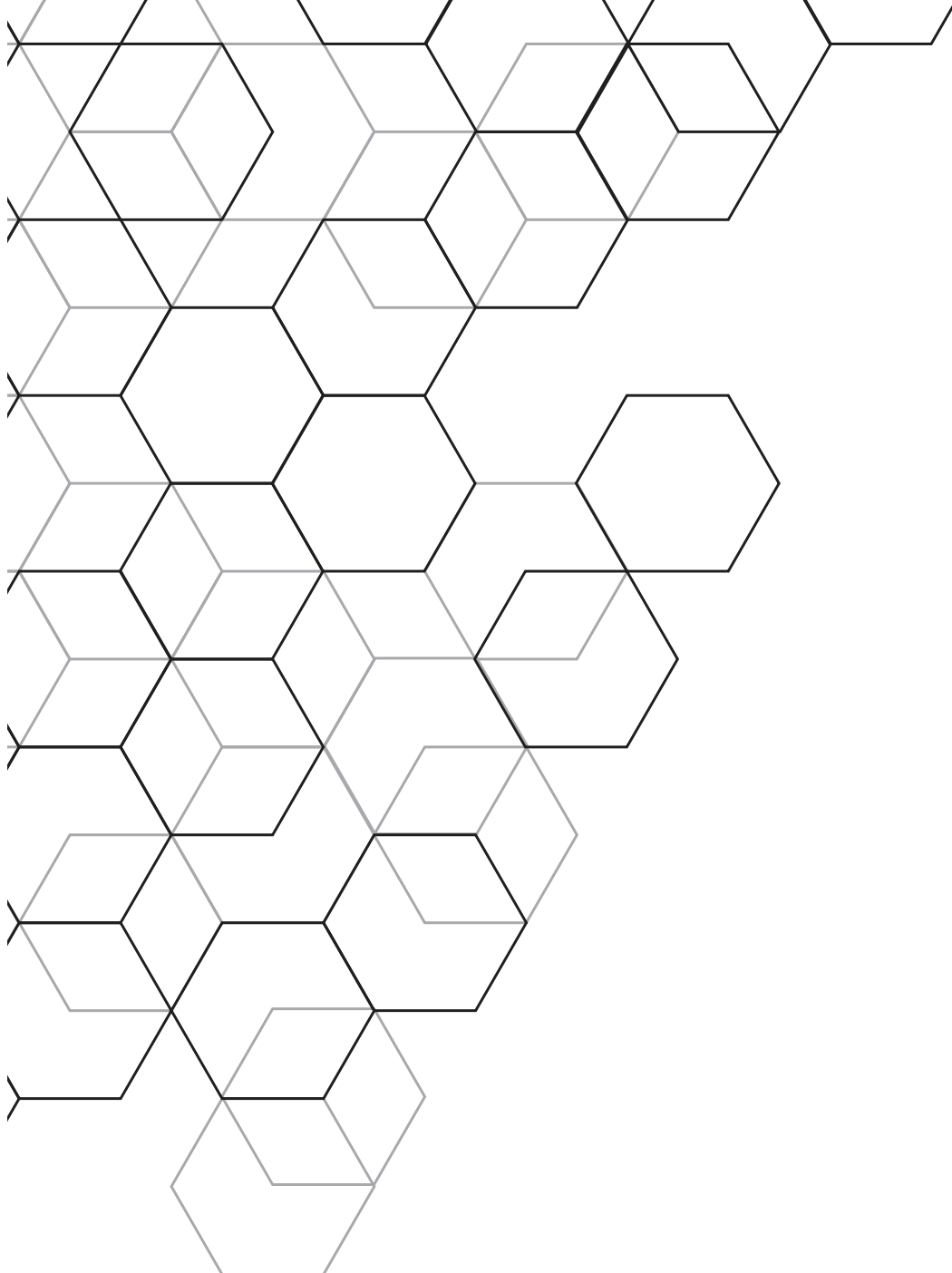
Aberdeenshire Council will only keep your personal  
data for as long as is needed. Aberdeenshire Council  
will retain your response and personal data for a retention  
period of 5 years from the date upon which it was  
collected. After 5 years Aberdeenshire Council will review  
whether it is necessary to continue to retain your  
information for a longer period. A redacted copy of your  
submission will be retained for 5 years beyond the life of  
the Local Development Plan 2021, possibly until 2037.

The following automated decision-making, including  
profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis  
specified above is Consent;
- to lodge a complaint with the Information  
Commissioner's Office (after raising the issue with the  
Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above  
is:  
(i) Consent; or  
(ii) Performance of a Contract;
- to request rectification or erasure of your personal data,  
as so far as the legislation permits.



## **ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2020**

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**Response on behalf of:** Kirkwood Homes Limited

**Subjects:** OP2: Ury House, East Lodge; and OP5: Land at East Lodge, Stonehaven

**Date:** July 2020





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- 2.0 Proposed Local Development Plan 2020
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- 4.0 OP5: Land at East Lodge
- 5.0 Conclusion

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- 1. Background Submissions in support of OP2 and OP5
- 2. Illustrative Planning Summary

## **1.0 Introduction and Executive Summary**

- 1.1 Kirkwood Homes Limited (Kirkwood) recognise that the Proposed Plan is a key stage in the preparation of the Aberdeenshire Local Development Plan 2020 (LDP 2020) as it represents the Council's "settled view" as to what the final adopted content of the Local Development Plan should be.
- 1.2 Kirkwood therefore welcome the opportunity to comment on the Proposed Plan and the following reaffirms the company's position on individual site bids as they relate to Ury Estate, Stonehaven and as now reflected within the Proposed Plan.
- 1.3 In liaison with FM Ury Limited, Kirkwood continues to promote and deliver long-term, coordinated, attractive and sustainable residential environs at Ury. Kirkwood welcome the recognition within the Proposed Plan that Ury can accommodate new housing through a number of LDP cycles relieving the pressure from other, potentially more sensitive sites around Stonehaven, whilst simultaneously providing enabling funding for essential infrastructure and the wider maintenance and enhancement of the Ury Estate. As the estate-wide Masterplan illustrates, the combination of residential, commercial and leisure development at Ury is creating a new, accessible and high quality north-western edge to Stonehaven enabling the town to sustainably straddle the A90 whilst also embracing the new junction allowing quick access to the AWPR.
- 1.4 In summary, Kirkwood supports the identification residential allocation OP2: Ury House, East Lodge for 212 houses; and OP5: Land at East Lodge for 60 houses. The following submission therefore sets out the principle areas of support and provides further minor comment regarding to the listed development criteria. As way of background context, Appendix 1 also provides the background to the promotion of both sites.

## **2.0 Proposed Plan 2020**

- 2.1 Within Appendix 1, the background relating to site bids at the 'Call for Sites' stage and the representations made to the 'Main Issues Report (MIR)' are set out. This provides useful background to the evolution of the proposals and the joint and effective working practices with the Council and other consultees to ensure a sustainable, balanced and deliverable range of land uses throughout the Ury Estate.
- 2.2 Overall, these submissions are therefore designed to reaffirm the ongoing approach to promote, through effective masterplanning, the timeous implementation of currently consented sites, alongside further appropriate allocations. The remix of the currently consented sites and the sympathetic development of further parcels of land with a marketable variety of house types and sizes will therefore continue to ensure that Ury continues to grow as a desirable place to live.

2.3 There is of course an extensive planning history at Ury Estate and positive discussions remain ongoing with Aberdeenshire Council with regard to current developments and additional future opportunities. The additional local benefits afforded by the proposed and future opportunities include the creation of a link road between the Slug Road and Netherley Road, a proposed retail store and a new hotel development. Additionally, a number of pedestrian and cycle routes throughout the Ury Estate ensure good connectivity and access to Stonehaven for schools, employment and other community and commercial facilities.

### **3.0 OP2: Ury House, East Lodge. Allocation: 212 Homes**

3.1 Kirkwood support the further identification of the subject land for housing purposes and the increase in the allocated number to 212 housing units. The supporting text within the allocation description is also supported, i.e. recognising the requirement for the link road; the provision of access to site OP5; connections to the core path network; and the listed technical requirements. The requirement for a revised Masterplan is also agreed to be timeous and beneficial.

### **4.0 OP5: Land at East Lodge. Allocation: 60 Homes**

4.1 Kirkwood Homes support the identification of this as a newly allocated site for housing purposes and the allocation number of 60 houses. The supporting text within the allocation description is also mainly supported, i.e. recognising the requirement to connect into the link road; access and connectivity with site OP2; and the various listed technical requirements. Again, the requirement for a revised Masterplan is also agreed to be timeous and beneficial. Whilst also supportive of the principle of inclusion of the P9 landscape buffer and the requirement to accommodate Policy H2 affordable housing, additional references to the bespoke nature of these requirements are set out as follows.

#### **P9 Landscape Buffer**

4.2 The principle of the requirement for a landscaping buffer along the northern site boundary is supported. The identified area is based on an indicative layout submitted by Kirkwood at the call for sites stage. However, rather than this being a definitive inner line, and described within the LDP as “the minimum area”, it should be noted as indicative and as long as the total area of P9 does not fall below that identified, the inner line should be considered flexible to accommodate landform and detailed levels survey at the time of planning application.

## **Affordable Housing**

- 4.3 Whilst recognising that Policy H2 Affordable Housing applies to this allocation, reflective of the approach taken throughout the Masterplan area, it should be implicit that the affordable housing quota for the OP5 allocation, can, through agreement, be provided elsewhere within the Masterplan area if appropriate at the time of planning application.

## **5.0 Conclusion**

- 5.1 In summary, the additional housing numbers and additional land allocations within **OP2** and **OP5** are welcomed and very much supported. However, to ensure effective delivery we would be grateful if the above minor comments could also be taken into account as minor amendments to the Proposed Local Development Plan.

## **APPENDIX 1: PROMOTIONAL BACKGROUND**

### **1.0 Call for Sites (March 2018)**

1.1 As background for when these documents are forwarded to the Reporter(s), it is relevant to note that during the 'Call for Sites' stage, Kirkwood submitted three bids relating to Ury Estate, Stonehaven as follows.

#### **Bid 1: East Lodge, Ury Estate, Stonehaven**

1.2 Inclusion as an allocated sites that will be implemented up to 2021 and beyond; increase in numbers on currently consented site (179 units) by 33 additional units to 212 total.

#### **Bid 2: East Lodge, Ury Estate, Stonehaven**

1.3 Allocation of land to north of Bid 1 for residential use, 60 units, in period 2021-2026.

1.4 Combined, these submissions reaffirmed the ongoing approach to promote, through effective masterplanning, the timeous implementation of currently consented sites, alongside further appropriate allocations. The remix of the currently consented sites and the sympathetic development of further parcels of land with a marketable variety of house types and sizes would therefore continue to ensure that Ury continues to grow as a desirable place to live.

1.5 As way of update, the ongoing residential development at Ury by Kirkwood Homes has, despite obvious fluctuations in the local housing market, continued to sell well due to sensible pricing and an evolving market appropriate mix of house types. The ongoing and reactive change in market mixes has provided the opportunity for increased numbers within the currently consented area of OP2: Ury House, East Lodge and the confidence to propose further development on OP5: Land at East Lodge, directly to the north.

1.6 In terms of delivery, the submitted bids sought to confirm the continuity of supply and an incremental growth of the permitted mixed-use area.

### **2.0 Main Issues Report / Draft LDP (2019)**

2.1 The MIR was published for consultation in April 2019 and recognised that Stonehaven as an important sub-regional service centre providing a variety of services; acknowledged that it has strong demand for development; it is located in the Strategic Growth Area in the Strategic Development Plan (SDP); and within the Aberdeen Housing Market Area (AHMA). As such, it plays an important role in delivering strategic housing allowances.

2.2 In response to the two bids referenced above, the MIR / Draft LDP set out the following.

**Proposed Local Plan site OP5: Land at East Lodge** – Call for Sites Bid 1: East Lodge, Ury Estate, Stonehaven. MIR Ref: KN102 / Draft LDP - OP2.

2.3 The MIR recognised that the principle of enabling development for Ury House was well established and also the need to reduce house sizes to reflect market conditions and therefore the proposed increase in the housing numbers in line with the bid to 212 units was accepted within the MIR.

2.4 The 'Draft Proposed LDP' therefore updated the site allocation **OP2** to the requested bid for 212 units and this was therefore **supported** by Kirkwood at that time.

2.5 The 'Draft Proposed LDP' also added in 2 new requirements and Kirkwood commented as follows:

2.5.1 ***"A bridge across the Cowie Water, which forms part of the link road between the B9979 and A957, must be provided before the development is completed".***

**Response:** This was accepted as being within the overall phasing context of the Ury Masterplan and was capable of delivery.

2.5.2 ***"It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local needs".***

**Response:** Regarding the delivery location of the requisite number of affordable housing units associated with this allocation, the principle had already been established through current consents for the affordable housing units to be delivered on Draft LDP site **OP7**, formerly part of **OP2** within the 2017 LDP (**Kirkwood Bid 05, MIR Ref: KN104**). A representation was therefore submitted to the MIR that this principle should continue to be accommodated for the additional 33 units now allocated above the currently consented 179 and there should be no requirement to provide on site affordable housing within **OP2**. For clarification, the representation also stated that the 25% requirement for the Affordable Housing quota for the 33 units relative to **OP2** should therefore be accommodated within Draft LDP site **OP7**. We note and appreciate that in the Proposed Plan, the second sentence of the above requirement has now been deleted.

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**Proposed Local Plan site OP2: Ury House, East Lodge** - Call for Sites Bid 2: East Lodge, Ury Estate, Stonehaven. MIR Ref: KN103 / Draft LDP - OP6.

2.6 The proposed site acts as a northern extension to the existing **OP2**. The MIR recognised that this site would indeed round off **OP2** and therefore included this site within the Draft LDP as a new allocation **OP6** for the requested 60 homes. This reflected the bid and was therefore **supported** by Kirkwood.

2.7 At that time, the draft allocation also placed the following requirements on the development of the site and we commented as follows:

2.7.1 ***“Development of this site should not be undertaken until the houses allocated on site OP2, the supermarket site next to OP7 and the link road between the B9979 and the A957 are built. This includes the bridge over Cowie Water”.***

**Response:** The link road is a technical requirement and was accepted as being within the overall phasing context of the Ury Masterplan. However, in submissions, we contended that delivery of this residential site cannot be held reliant on the delivery of the supermarket, which is a commercial operation within its own right and vulnerable to market variations. We contended therefore that the reference to the site being dependent on the delivery of the supermarket should therefore be **deleted**. We acknowledge and appreciate that this requirement has now been deleted from the Proposed Plan.

2.7.2 ***“Future development should ensure that appropriate access is gained for the site and this should be considered in consultation with the Council’s Road and Transportation Departments”.***

**Response:** This was noted and agreed.

2.7.3 ***“Strategic Landscaping will be required along the northern boundary, which is identified as site P9”.***

**Response:** P9 was included within the Draft LDP *“To provide strategic landscaping for site OP6”*. The principle of strategic landscaping in this location was indeed set out within Kirkwoods “Call for Sites” submission, including the northern landscape belt, i.e. shown within the detailed layout for 60 units on the site and the principle was therefore **supported**. In response, we also noted that it should however be recognised within the LDP’s description of P9 that the inner boundary of the submitted layout remains indicative and subject to detailed analysis at the planning application stage. The precise inner boundary of P9 therefore may change slightly to accommodate topographical and technical requirements, whilst still performing and not compromising its

strategic landscape function. We have maintained this position through appropriate representations to the Proposed Plan, as set out above.

- 2.7.4 ***“It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need”.***

**Response:** The principle of providing affordable housing was **agreed**, however recognising that Policy H2 Affordable Housing applies to this allocation, reflective of the approach taken throughout the Masterplan area, it should be implicit that the affordable housing quota for the OP5 allocation, can, through agreement, be provided elsewhere within the Masterplan area if appropriate at the time of planning application. We maintain this position through representation to the Proposed Plan.

- 2.7.5 ***“Development on this site must accord with Policy P4 (Hazardous and potentially polluting developments and contaminated land) and the Health and Safety Executive “Planning Advice for Developments near Hazardous Installations”, owing to the presence of one or more oil or gas pipelines in the vicinity”.***

**Response:** It was noted that the site is indeed partly affected by the BP Forties 380m middle zone and this will be addressed through any application for planning permission. This position remains relevant within the Proposed Plan.



## **APPENDIX 2: ILLUSTRATIVE PLANNING SUMMARY**

## Proposed Aberdeenshire LDP2 - URY Estate - Illustrative Planning Summary - July 2020

Key:

- |  |  |   |  |   |  |
|--|--|---|--|---|--|
|  Sites with Planning Permission |  Sites with Planning Permission but not yet started |  Site currently in the planning system |  Site currently in the planning system and emerging through the LDP |  Site emerging through the LDP |  Future consideration |
|--|--|---|--|---|--|

